



## RESOURCE PROTECTION AND STEWARDSHIP UNIT

# U.S. / CANADA TRANSBOUNDARY WATER ISSUES

### Boundary Waters Treaty of 1909

U.S./Canada transboundary water issues are addressed by the Boundary Waters Treaty of 1909.

**International Joint Commission** was established by treaty provision to monitor situations, investigate issues, and prevent or resolve disputes. The IJC is recognized as an independent entity, and the Governments refer issues to it for resolution. The IJC formed subsequent boards to address specific issues. Senior EPA officials are board members or technical advisors.



*EPA/Environment Canada hands across the border*

Treaty issues and disputes are also addressed by the Governments through establishment of **bi-lateral technical groups**. They do not function independently, but rather members work through consensus and report to the Governments. Senior EPA officials are either appointed as members or technical advisors.

### North Dakota Transboundary Water Issues



*Devils Lake looking east from Minnewaukan*

**Devils Lake** has risen over 25 ft since 1993 and flooding has inundated roads, utilities, towns, and farms. The lake is in a closed sub-basin and is high in salinity. US Corps of Engineers proposes to build a permanent pipeline emergency outlet. Meanwhile, North Dakota is proposing to build a state-funded outlet. Either outlet would discharge water into the Sheyenne River, and ultimately the Red River which flows north into Canada and Lake Winnipeg. Significant concern exists for violating the Boundary Waters Treaty. North Dakota would also like to divert water from the Missouri River for an inlet into Devils Lake. Canada and Minnesota strongly oppose these projects.

**Northwest Area Water Supply** project would divert water from the Missouri River to the City of Minot, which is in the Souris River Basin and flows into Hudson Bay. EPA endorses the need for the drinking water supply project, and provided recommendations for minimizing risk of biota transfer. Project sponsors (Bureau of Reclamation & ND State Water Commission) accepted EPA's recommendations, but Canada remains opposed due to concern for cross-basin transfer of fish pathogens. Referral to the IJC is possible.

**Red River Water Supply** is another USBR-sponsored drinking water supply project that would divert water from the Missouri River to Fargo, which is on the Red River, and the North Dakota border with Minnesota. Canada and Minnesota have expressed opposition to the project due to biota transfer concerns. States downstream on the Missouri River also expressed concerns regarding issues with water use. In-basin sources of drinking water are also being investigated.



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